

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO ACQUIRE, BY DONATION, TWO DRAINAGE EASEMENTS LOCATED WITHIN THE CITY FROM DONOR, FAIRWAY VILLAS, L.L.C.

WHEREAS, the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently possess a drainage easement on two lots owned by Fairway Villas, L.L.C. (specifically Lot 20-R and Lot 22-R Replat of Fairway Villas Subdivision);
2. The City is authorized to acquire real property pursuant to Miss. Code Ann '21-17-1;
3. Fairway Villas, L.L.C., due to the sizes of the aforementioned lots, has a need to relocate said drainage easements and has expressed a willingness to donate the new drainage easements legally described in two surveys completed by Seymour Engineering and attached hereto as Exhibit "A" to this resolution;
4. The City is willing to accept the donation of the aforementioned drainage easements described in two surveys completed by Seymour Engineering and attached hereto as Exhibit "A" and, further, the City hereby abandons the drainage easements previously donated by Fairway Villas, L.L.C.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will accept the donation of the aforementioned drainage easements on Lot 20-R and Lot 22-R Replat of Fairway Villas Subdivision and the Governing Body of the City will hereby abandon the previous drainage easements with respect to said lots.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the acquisition of the aforementioned drainage easements by donation and for the City Manager to execute any necessary documentation to effectuate the donation of the subject drainage easements. It is agreed and understood that Fairway Villas, L.L.C. will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi and further will be responsible for the expense of physically moving the drainage pipe on said lots to reflect the new surveys.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Sislow, seconded by Councilmember LaFontaine and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Knobloch	<u>✓</u>	___	___
Councilmember LaFontaine	<u>✓</u>	___	___
Councilmember Lopez	<u>✓</u>	___	___
Councilmember Rech	<u>✓</u>	___	___
Councilmember Sislow	<u>✓</u>	___	___
Mayor Schafer	___	___	<u>✓</u>

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 17th day of March, 2015.

Ernest J. Knobloch, Sr.
MAYOR

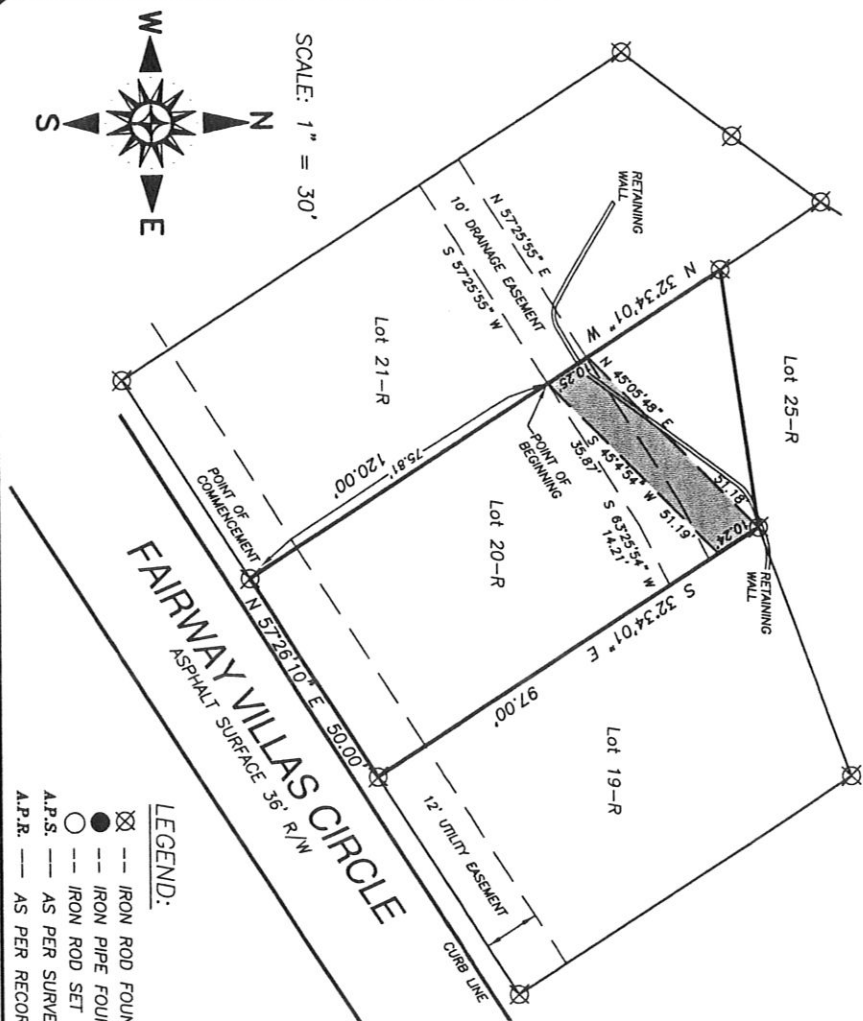
PRO TEM

ATTEST:

[Signature]
CITY CLERK

(SEAL)





SURVEY DESCRIPTION: Existing 10 foot Drainage Easement

A 10 foot drainage easement situated and being located on Lot 20-R, Replat of Fairway Villas Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows:

Commencing at the southwest corner of said Lot 20-R; thence N 32°34'01" W 75.81 feet to the Point of Beginning; thence continue N 32°34'01" W 10.00 feet to a point; thence N 57°25'55" E 36.39 feet to a point; thence N 63°25'54" E 13.68 feet to a point on the east line of said Lot 20-R; thence S 32°34'01" E 10.00 feet to a point; thence S 63°25'54" W 14.21 feet to a point; thence S 57°25'55" W 35.87 feet to the Point of Beginning. Said parcel of land contains 501 square feet, more or less.

SURVEY DESCRIPTION: Relocated 10 foot Drainage Easement

A 10 foot drainage easement situated and being located on Lot 20-R, Replat of Fairway Villas Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows:

Commencing at the southwest corner of said Lot 20-R; thence N 32°34'01" W 75.81 feet to the Point of Beginning; thence continue N 32°34'01" W 10.25 feet to a point; thence N 45°05'48" E 51.18 feet to the northeast corner of said Lot 20-R; thence S 32°34'01" E 10.24 feet to a point; thence S 45°04'54" W 51.19 feet to the Point of Beginning. Said parcel of land contains 512 square feet, more or less.

Note: The bearings on this survey are based on OPUS GPS Observations and should be rotated counter clockwise 0.309°37" to match subdivision plat.

Note: This Survey "Class B" was made in accordance with the "Standards of Practice for Surveying in the State of Mississippi, July, 2005".

Note: This Survey does not reflect a title search by Seymour Engineering, nor should it be considered as such.

This is to CERTIFY that I have surveyed the property described and delineated hereon; and that the measurements and other data indicated are correct to the best of my knowledge and belief.

James C. Booth, Jr.
James C. Booth, Jr. P.L.S. #2686
March 4, 2015

SEYMOUR ENGINEERING
925 TOMMY MUNNO DRIVE, SUITE 6
BILOXI, MISSISSIPPI 39532
PHONE: (228) 385-2350
FAX: (228) 385-2353

SE
515-10-015

A 10 foot drainage easement situated and being located on Lot 22-R, Replat of Fairway Villas Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows:

Commencing at the southeast corner of said Lot 22-R; thence N 32.34.01" W 75.81 feet to the Point of Beginning; thence S 57.25.55" W 50.00 feet to a point on the west line of said Lot 22-R; thence N 32.34.01" W 10.00 feet to a point; thence N 57.25.55" E 50.00 feet to a point on the east line of said Lot 22-R; thence S 32.34.01" E 10.00 feet to the Point of Beginning; said 10 foot drainage easement contains 500.0 square feet, more or less.

A 10 foot drainage easement situated and being located on Lot 22-R, Replat of Fairway Villas Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows:

beginning more or less at the southeast corner of said Lot 22-R; thence N 33°34'01" W 75.81 feet to the Point of Beginning; thence S 68°44'31" W 50.99 feet to a point on the west line of said Lot 22-R; thence N 32°34'01" W 10.20 feet to a point; thence N 68°44'31" E 50.99 feet to a point on the east line of said Lot 22-R; thence S 32°34'01" E 10.20 feet to the Point of Beginning. Said 10 foot drainage easement contains 510.0 square feet, more or less.

Note: The bearings on this survey are based on OPUS GPS Observations and should be rotated counter clockwise 03°09'37" to match subdivision plat.

Note: This Survey "Class B" was made in accordance with the "Standards of Practice for Surveying in the State of Mississippi, July, 2005".

Note: This Survey does not reflect a title search by Seymour Engineering, nor should it be considered as such.

This is to CERTIFY that I have surveyed the property described and delineated hereon; and that the measurements and calculations indicated are correct to the best of my knowledge and belief.

James C. Booth, Jr.
 JAMES C. BOOTH, JR. P.L.S. #2406
 March 4, 2015

LAND SURVEYOR
 P.L.S. 2666

STATE OF MISSISSIPPI
 MISSISSIPPI DEPARTMENT OF REVENUE
 MISSISSIPPI DEPARTMENT OF REVENUE

James C. Booth, Jr. P.L.S. #2666
March 4, 2015

SEYMOUR ENGINEERING
925 TOMMY MUNRO DRIVE, SUITE G
BILOXI, MISSISSIPPI 39532
PHONE: (228) 385-2350
FAX: (228) 385-2353

PHONE: (228) 385-2350
FAX: (228) 385-2353

SE